

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

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|----------------------------|---|-------------------|
| PATRICIA KAMMEYER, et al., | : | NO. 1:01-CV-00649 |
| | : | |
| | : | |
| Plaintiffs, | : | |
| | : | ORDER |
| v. | : | |
| | : | |
| | : | |
| CITY OF SHARONVILLE, | : | |
| et al., | : | |
| | : | |
| | : | |
| Defendants. | : | |

The parties met before the Court on January 22, 2004, for a Status Conference. At such conference the parties indicated that as Defendants Nuss and Cramer have retained new Counsel, a modification of the schedule is necessary in order to allow for completion of discovery and trial preparation. Plaintiffs expressed their desire to schedule the trial during 2004, while Defendants prefer to reschedule the trial for 2005. The Court indicated that the underlying Complaint stems from allegations of a murder cover-up stretching over some twenty years, and that this matter should move promptly toward resolution during 2004.

Accordingly, the Court VACATES the prior pretrial scheduling Order (doc. 125), and RESETS this matter according to the schedule indicated below. The Court further ORDERS that the depositions of Defendants Cramer, Nuss, and Schappa take place at the courthouse on or before February 25, 26, and 27, 2004. In

conformity with the Court's January 16, 2003 Order (doc. 79), Counsel for the respective Defendants may review the sealed documents in the court's chambers.

**I
PROCEEDINGS FOR TRIAL**

This matter will proceed to trial as follows:

- (A) Any motions will be filed by August 1, 2004. Motions must be filed by this date, and any motions filed after this date may be subject to a motion to strike. Parties are referred to Local Rule 7.2, which restricts letters to the Court. Correspondence with the Court should be by motion, except as expressly permitted by the Rule.
- (B) Discovery will be completed by July 1, 2004. All matters relating to discovery will be referred to the United States Magistrate Judge to whom the case has been assigned.
- (C) A final pretrial conference has been tentatively scheduled for October 6, 2004, at 9:00 A.M.
- (D) Trial has been tentatively scheduled for November 16, 2004, on an on-deck basis. On-deck trials will be released late Thursday afternoon the week before the scheduled trial date.
- (E) This is expected to be a one-week jury trial.
- (F) Proposed jury instructions are to be submitted three business days before the trial date.
- (G) Exhibits are to be submitted ten days prior to trial.
- (H) Any motions or entries for extensions of time must recite the final pretrial date and trial date.

II
ORDERING OF TRANSCRIPTS

Any request for daily copy of a trial should be made to Mary Ann Ranz, the Judge's Court Reporter, at the time of the final pretrial conference. Under no circumstances will the Judge allow a daily transcript or an over-night transcript if daily copy is not arranged in advance of trial.

III
STATUS REPORTS

It will not be necessary for counsel to advise the Court in writing on the status of this case.

IV
ADDITIONAL CONFERENCES

If the need for the Court's assistance arises, counsel may make a joint appointment for additional conferences.

V
TRANSFERRAL

In accordance with Western Division Rule No. 1 and Rule 53, Federal Rules of Civil Procedure, this matter may be transferred to the United States Magistrate Judge for disposition or for him to serve as Master.

SO ORDERED.

Dated: January 27, 2004

/s/ S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge